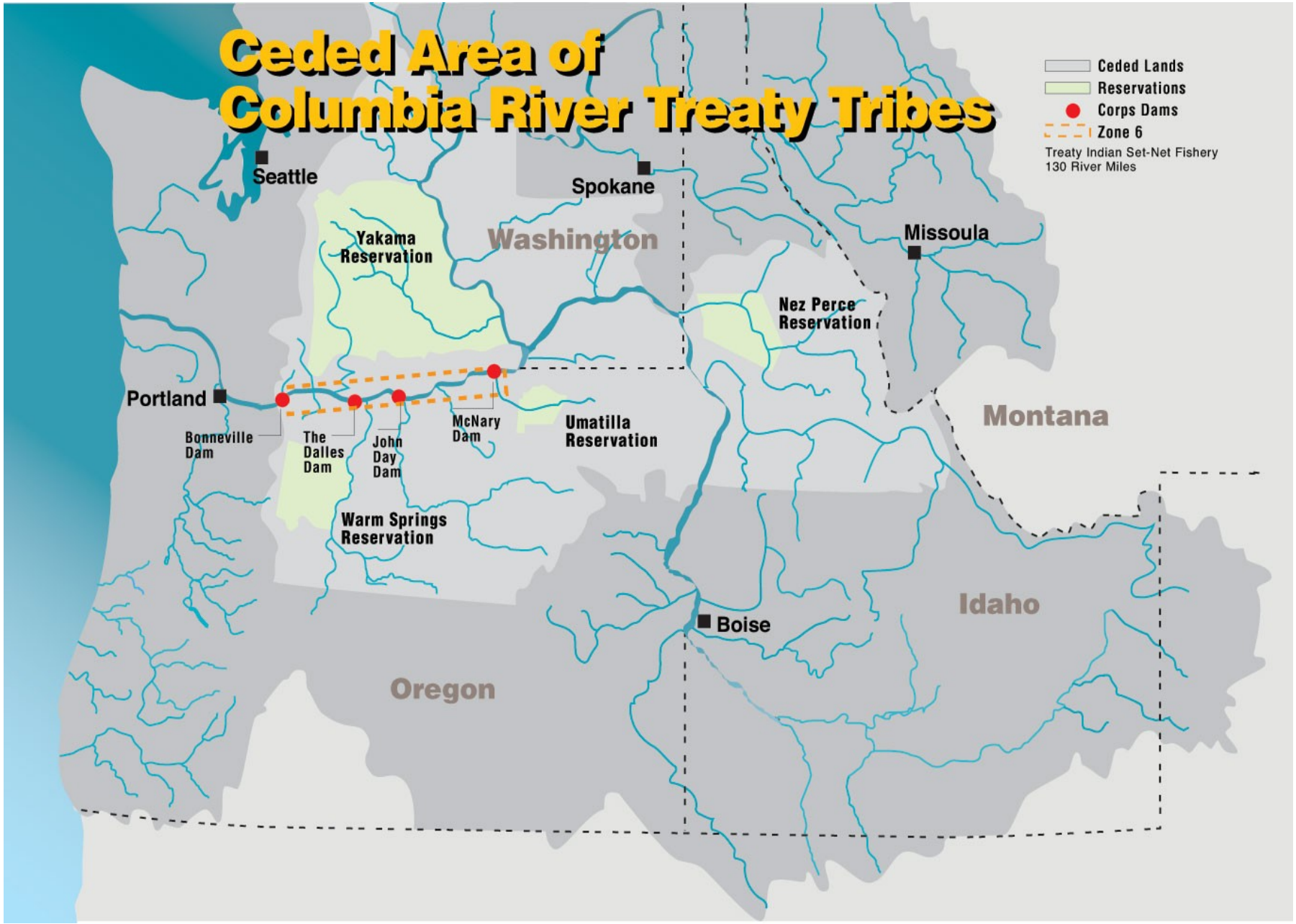
US Army Corps of Engineers CELILO INDIAN VILLAGE RESTORATION PROJECT

UNIQUE PLANNING CHALLENGES

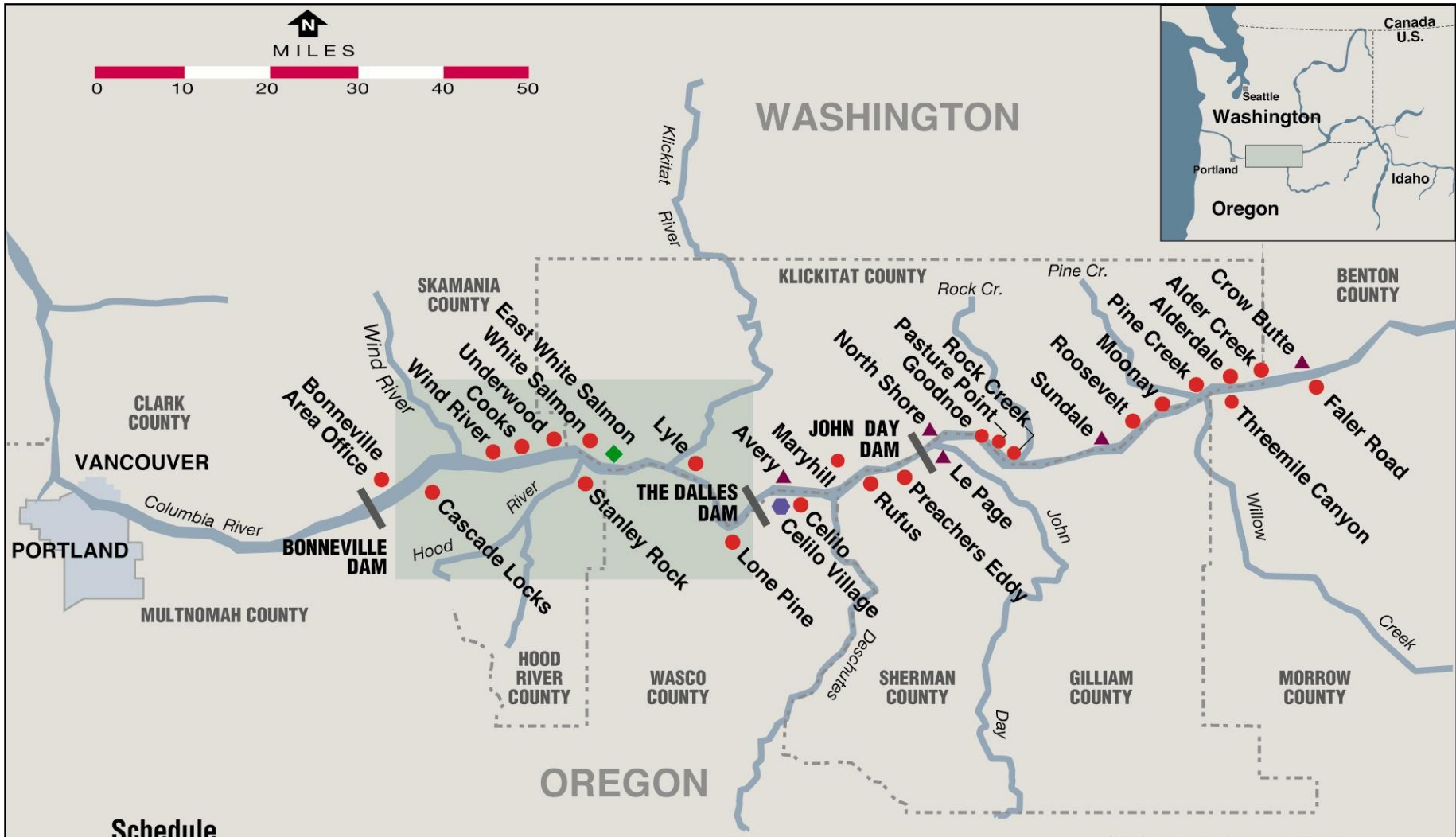
JOHN BREILING, Attorney,
Portland District, Presenter


Ceded Area of
Columbia River Treaty Tribes
Ceded Lands
Reservations
Corps Dams
Zone 6
Treaty Indian Set-Net Fishery
130 River Miles
Seattle
Spokane
Missoula
Washington
Yakama
Reservation
Nez Perce
Reservation
Portland
Bonneville
Dam
The
Dalles
Dam
John
Day
Dam
McNary
Dam
Umatilla
Reservation
Montana
Warm Springs
Reservation
Idaho
Boise
Oregon

CELILO VILLAGE: WHERE ?

- 100 miles east of Portland, Oregon
- Oregon side of Columbia River
- 10 miles east of The Dalles Dam
- Site of historic Celilo Falls flooded out in 1957 by The Dalles Dam

  -- site is river–level bench with high cliff on south side (land side) next to I-84 & 2 railroads & tribal fishing site & COE park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MILES
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WASHINGTON
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Klickitat River
SKAMANIA COUNTY
KLICKITAT COUNTY
BENTON COUNTY
CLARK COUNTY
VANCOUVER
PORTLAND
MULTNOMAH COUNTY
HOOD RIVER COUNTY
WASCO COUNTY
SHERMAN COUNTY
GILLIAM COUNTY
MORROW COUNTY
Columbia River
Wind River
Hood River
Rock Cr.
Pine Cr.
Deschutes
John Day
Willow Creek
Bonneville Area Office
BONNEVILLE DAM
Cascade Locks
Wind River
Cooks
Underwood
East White Salmon
White Salmon
Stanley Rock
Lyle
THE DALLES DAM
Lone Pine
Celilo
Celilo Village
Avery
Maryhill
JOHN DAY DAM
North Shore
Pasture Point
Goodnoe
Rock Creek
Rufus
Preachers Eddy
Le Page
Sundale
Roosevelt
Moonay
Pine Creek
Alderdale
Alder Creek
Crow Butte
Threemile Canyon
Faler Road
Schedule
Sites completed thru FY2003
Sites in progress FY2004
Site proposed to start in FY2004
Out-year start FY2007
Acquire two sites in FY2005
(locations to be developed)
Columbia River Basin
Columbia River
Treaty Fishing Access Sites
Oregon and Washington
Scales As Shown
US Army Engineer District, Portland
Northwestern Division
Prepared 12 March 2004

Celilo Treaty Site
Celilo Park
Celilo Village, OR

CELILO VILLAGE: WHY ?

- WHY: THE CHALLENGE
- Unfulfilled authorization to relocate village flooded out by The Dalles Dam in 1957
- 850 Native American residents dislocated with no benefits in 1953- 1957
- About 50 tribal residents remain – living in slum – most without proper water & power
- Corps and BIA breach of Indian trust & treaty duties to multi-tribal reservation

1948 Housing - Unit No.4
04.08.2004 10:46

CELILO VILLAGE: LESSONS LEARNED

- Build trust & communicate, communicate, communicate…
- Do homework: gather multi-discipline team & see things as beneficiaries see them
- Build for future & fix past mistakes
- Build Partnerships for success
- Celebrate success

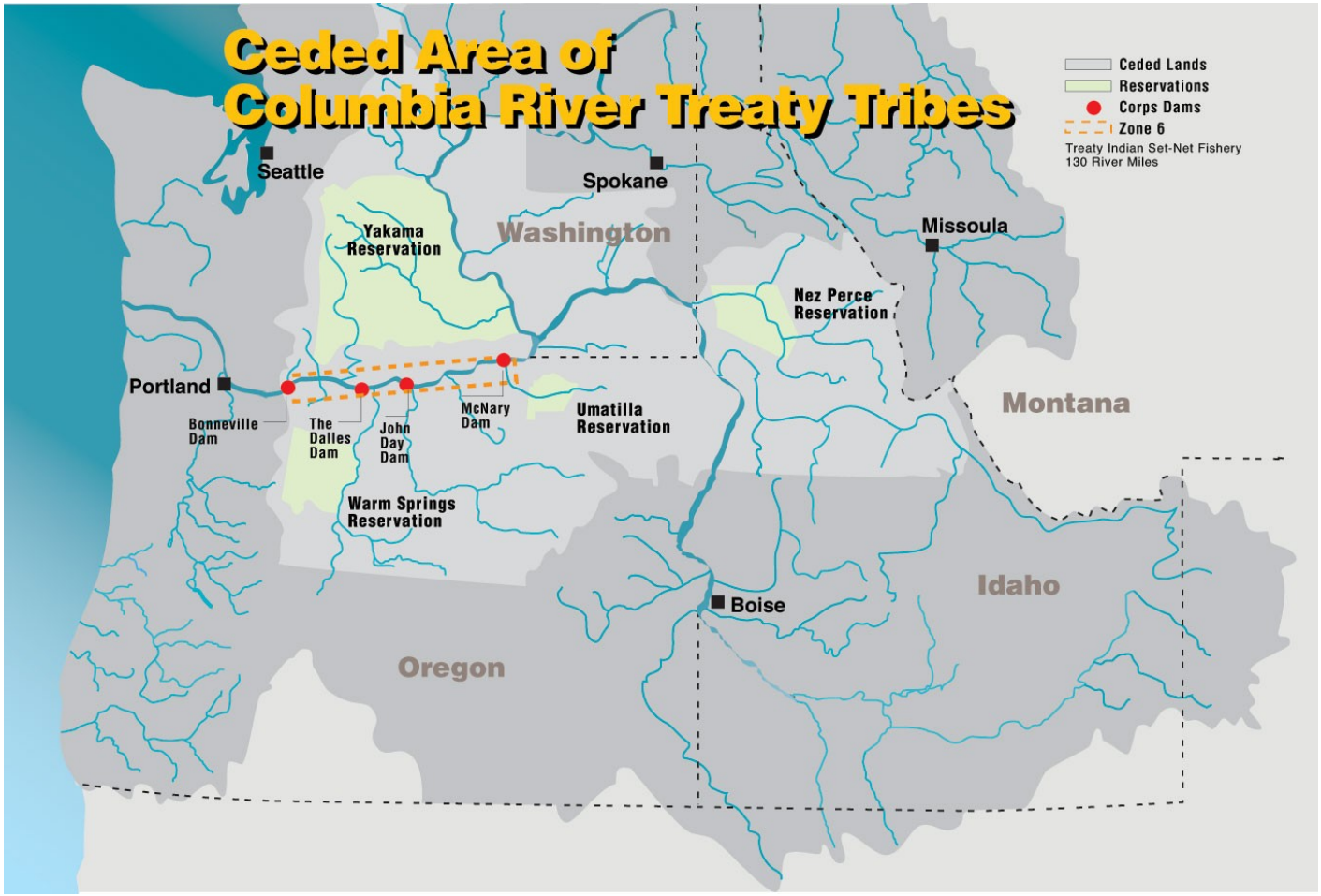
CELILO VILLAGE – BUILDING TRUST IN INDIAN COUNTRY

- A LONG SLOW PROCESS
- Requires lots of communications with:
  - tribal councils
  - multi-tribal organizations
  - individual Native Americans
  - partners in serving Native Americans

RESULTS: PAC Report, then PL 108-204, Sec. 108, Mar 2, 2004 project authorization

CELILO VILLAGE – DOING HOMEWORK – Legal Challenges

- Multi-tribal coalition reservation (UNIQUE)
- 1855 US v. OREGON treaty fishing rights
- Self-Determination BIA-tribes contracting
- Jumbled tribal legal status: (a) fully exempt tribes, (b) 28 USC 1360 tribes, (c) other
- Land in collective trust (1929, 1947 laws)
- Houses in mixed trust status (1955 law)
- Allotment issues & Synder Act concerns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Warm Springs
Reservation
Idaho
Boise
Oregon

CELILO VILLAGE – DO HOMEWORK – Relocation Issues

- Eligibility determinations: multiple classes of unique legal interests:
- (a) 1947 permittees & heirs
- (b) 1955 statutory trust beneficiaries & heirs & Native American probates
- (c) Other legal & equitable claimants
- (d) Squatters & transients
- (e) Mobile homes & trailers' issues

CELILO VILLAGE – DO HOMEWORK –Relocations Act

- UNIQUE RELOCATIONS ACT ISSUES:
- (a) Equitable owners as Owner-Occupants
- (b) BIA permittees as Tenants
- (c) Mobile Homes & trailers' occupants
- UNIQUE CHOICES: owner-occupants must elect govt.-owned & maintained or self-owned & maintained
- KEEP VILLAGE TOGETHER AS WHOLE
- 30% of villagers have critical medical issues

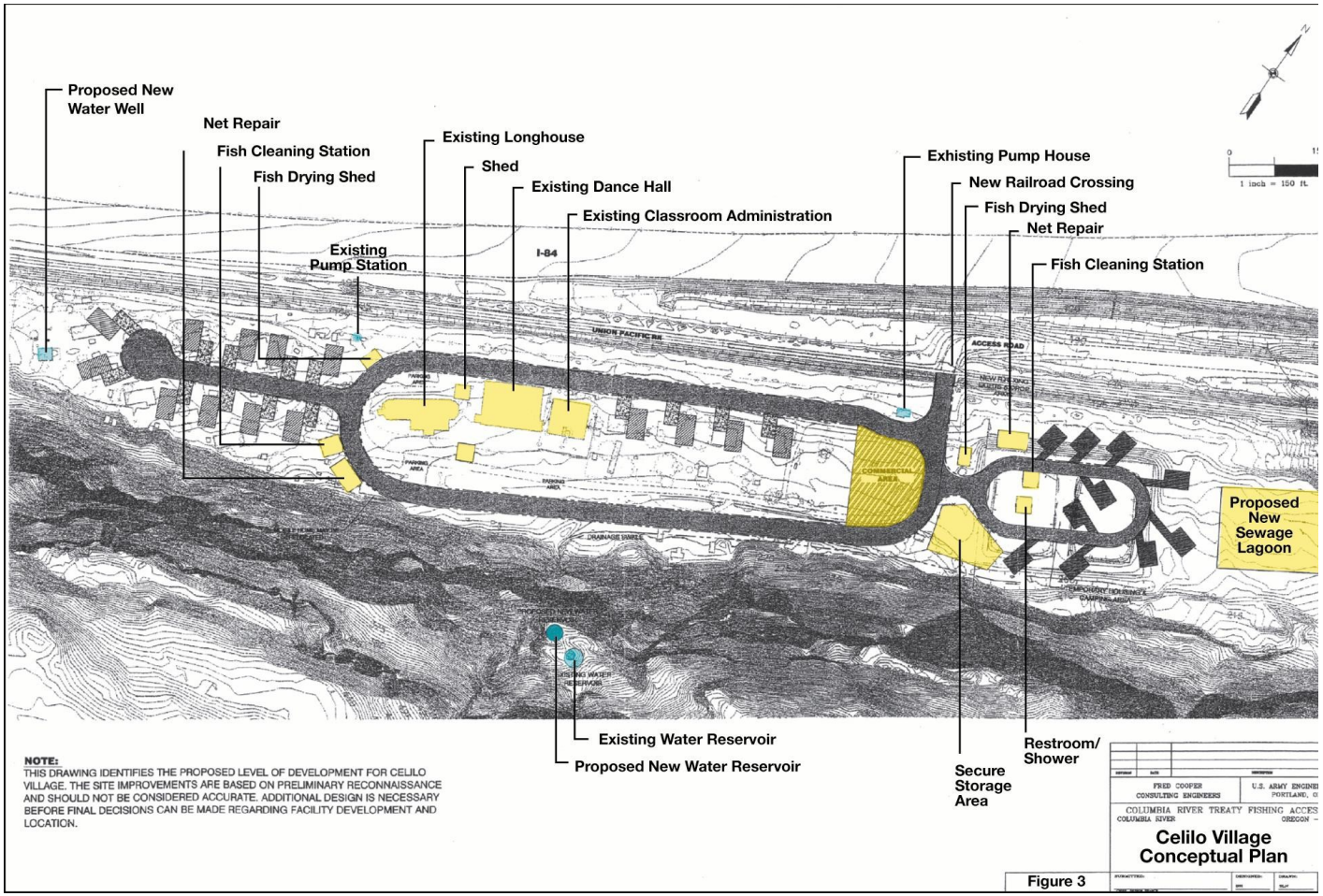
CELILO VILLAGE – BUILD FOR FUTURE

- (1) Fix layout of facilities; provide on-site services
- (2) Archeology: don’t disturb ancestors
- (3) Environment: fix water & sewer issues
- (4) Provide for village economic growth to alleviate village poverty
- (5) Provide for village self-governance to help maintain infrastructure in future
- (6) Allow for future village expansion by BIA and tribes

Sewage lagoon adjacent to potable water well

CELILO VILLAGE: PARTNERSHIPS FOR SUCCESS

- TRIBES ARE DOMINANT PARTNERS
- BIA & HIS are statutory partners
- State of Oregon is mandatory partner
- Wasco County & subordinate districts like school districts are essential partners
- Many others are voluntary & desirable partners, e.g. Ford Foundation, local community groups, etc.



NOTE:
THIS DRAWING IDENTIFIES THE PROPOSED LEVEL OF DEVELOPMENT FOR CELILO VILLAGE. THE SITE IMPROVEMENTS ARE BASED ON PRELIMINARY RECONNAISSANCE AND SHOULD NOT BE CONSIDERED ACCURATE. ADDITIONAL DESIGN IS NECESSARY BEFORE FINAL DECISIONS CAN BE MADE REGARDING FACILITY DEVELOPMENT AND LOCATION.

FRED COOPER CONSULTING ENGINEERS

U.S. ARMY ENGINEER PORTLAND, O

COLUMBIA RIVER TREATY FISHING ACCESS
COLUMBIA RIVER OREGON

Celilo Village Conceptual Plan

Figure 3

CELILO VILLAGE – CELEBRATE SUCCESS

- Use normal tribal cultural festivals to celebrate each step & success
- Publicize progress, successes, and festivals – particularly within affected tribal communities whose support is required
- Recognize this unique MULTI-TRIBAL achievement for Pacific Northwest Tribes and Nation’s tribes as a whole

CELILO VILLAGE – TAKE HOME – Lessons Learned

- Build trust & communicate, communicate, communicate…
- Do homework: gather multi-discipline team & see things as beneficiaries see them
- Build for future & fix past mistakes
- Build Partnerships for success
- Celebrate success